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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/554,262

10/25/2005

William John Testin

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EXAMINER

NATNAEL, PAULO S M

ART UNIT

PAPER NUMBER

2622

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/554,262	Applicant(s) TESTIN ET AL.	
	Examiner PAULOS M. NATNAEL	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/25/05 and 7/24/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1 and 7** are rejected under 35 U.S.C. 102(b) as being anticipated by **Turner**, U.S. Pat. Appl. Pub. # 2002/0018050 A1.

Considering claims **1 and 7**, Turner discloses a television system (paragraph [0002]) broadcasting apparatus comprising:

a) the claimed housing is met by the combined housing for the Display 2 and BDR 4, Fig.1;

b) the claimed controller contained in the housing and operative to provide control of the television apparatus, is inherent in television or display systems controlling the functions of the electronic device as a whole, since the system may not function properly without a controller of some sort.

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c) a front panel array on an exterior of the housing and connected to the controller, is met by the front panel display 6, Figs. 1 and 2a/b. (see Para. [0005])

d) a lighting device situated on the exterior of the housing and illuminating the front panel array, the lighting device connected to the controller and operative in conjunction with the controller to provide a plurality of illumination intensity levels, is met by the disclosure that “the front panel display 6 is provided with means to automatically dim the display 6” (Para. 0022); a light sensor can be located in the front panel display to allow adjustment of the display in response to the ambient lighting in the locality of the device (Para. 0023); and, “the brightness and/or illumination of the display is adjustable depending on the status of the device and/or ambient lighting in the locality of the device, (see, Para. [0006] and [0015]).

3. Claims **1 and 7** are rejected under 35 U.S.C. 102(e) as being anticipated by Morykwas et al., U.S. Pat. 7,379,393.

Considering claim 1 and 7, Morykwas discloses a timer device for use in an audio/visual presentation comprising:

a) the claimed housing, is met by the housing 14 of a projector 12, Fig.1;

b) the claimed controller contained in the housing and operative to provide control of the television apparatus, is inherent in television and/or display systems such as the projector system illustrated in Fig.1 controlling the functions of the electronic device as a whole, for the system may not function properly without a controller of some sort.

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c) a front panel array on an exterior of the housing and connected to the controller, is met by the time tracking device 10, Fig.1, comprising a control pad which controls the functions of the timer device, such as on/off, start, stop, pause, reset, mode, illumination, and time of day. (See, Abstract; col. 2, lines 43-65)

d) a lighting device situated on the exterior of the housing and illuminating the front panel array, the lighting device connected to the controller and operative in conjunction with the controller to provide a plurality of illumination intensity levels, is met by the disclosure that the time tracking device 10 is equipped with a solar panel 28 on its surface which may be placed on the display 18 or control pad 24...(col. 4, lines 21-32) the time tracking device may be connect o the power circuitry of the projector alone or in combination with the solar panels (col. 5, line 41-50).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **2-4, 6, 8-10, 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Turner**, U.S. Pat. Appl. Pub. # 2002/0018050 A1.

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Considering claims **2, 6, 8, and 12**, Turner does not disclose "a single wire" connection. It appears Turner is using a conventional method of wiring. Nothing in Turner however precludes using such a method of connection particularly for the short distance. It would have been an obvious matter of design choice to modify the Turner reference by having a single wire connection for this short distance from the controller to the front panel, since applicant has not disclosed that having a single wire connection solves any stated problems or is for any particular purpose, and it appears that, for example, a two-wire connection would perform equally well.

As to claims **3, 4,9,10**, Turner does not specifically disclose the lighting device as comprising diodes and a light pipe. However, the examiner takes Official Notice in that it is notoriously well known in the art to utilize light emitting diodes (LED), light pipes, liquid crystal, etc. in a lighting device and, therefore, it would have been obvious to those with ordinary skill in the art at the time the invention was made to modify the system of Turner by providing one of the LED, light pipe and liquid crystal according to the desired/required design of the device.

6. Claims **5, 11, 13-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Turner**, U.S. Pat. Appl. Pub. # 2002/0018050 A1 in view of Kim, U.S. Pat. 6,999,059.

Regarding claims **5 and 11**, see the rejection of claim 13c below.

Considering claim **13**, the claimed:

a) providing a lighting device on a television apparatus, the lighting device operative to illuminate a front panel array of the television apparatus, is met by disclosure, “the front panel display 6 is provided with means to automatically dim the display 6” (Para. 0022), as well as a light sensor can be located in the front panel display to allow adjustment of the display in response to the ambient lighting in the locality of the device (Para. 0023); and, “the brightness and/or illumination of the display is adjustable depending on the status of the device and/or ambient lighting in the locality of the device (see, Para. [0006] and [0015]).

b) detecting the presence of the lighting device upon initial startup of the television apparatus, is implied in the Turner system, since without detecting the presence of the lighting device on startup, the system may not operate if it is unable to detect the lighting device before utilizing the lighting device;

except for;

c) providing a light control menu to an on-screen control menu of the television apparatus when the lighting device has been detected, the light control menu allowing a user to select one of a plurality of light illumination intensity levels for the lighting device

Turner discloses that the user can define the level of brightness and/or illumination using remote control means, control buttons on the display, BDR... (Para. 0015). Turner does not specifically disclose an “on-screen” display or control “menu”. However, OSD control menu using on-screen display to allow the user to adjust various

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parameters of the display device is notoriously well known in the art. In that regard, Kim, e.g., discloses a display apparatus having an illuminator and method of controlling the same...in which electric power and/or luminous intensity of the illuminator is controlled through the OSD (abstract). Kim further teaches the OSD menu includes a luminous intensity adjustment item for the illuminator and the controller controls the illuminating inverter so as to adjust the luminous intensity of the illuminator when the luminous intensity adjustment item of the OSD menu is selected through the OSD input part (**col. 1, lines 59-64**). It would have been therefore obvious to those with ordinary skill in the art at the time the invention was made to modify the reference of Turner by providing the OSD menu taught by Kim to allow the user to adjust the brightness and/or illumination of the display (and other parameters) as suggested by Turner. Doing so would make the system of Turner easier to manipulate using, for example, a remote controller to adjust the desired parameter, the OSD makes

As to claim **14**, see rejection of claim 13 (a).

Regarding claims **15** and **16**, Turner does not disclose "a single wire" connection. It appears Turner is using a conventional method of wiring. Nothing in Turner however precludes using such a method of connection particularly for the short distance. It would have been an obvious matter of design choice to modify the Turner reference by having a single wire connection for this short distance from the controller to the front panel, since applicant has not disclosed that having a single wire connection solves any

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stated problems or is for any particular purpose, and it appears that, for example, a two-wire connection would perform equally well.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bayramoglu et al. (6,289,466) discloses usage of monitor bezel buttons to control and indicate multimedia functions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAULO M. NATNAEL whose telephone number is (571)272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh W. Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PAULOS M. NATNAEL/
Primary Examiner, Art Unit 2622

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